



St. Bernard Parish Council

8201 West Judge Perez Drive Chalmette, Louisiana, 70043
(504) 278-4228 Fax (504) 278-4209
www.sbpsg.net

#13

FAILED

EXTRACT OF THE OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING HELD IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA ON TUESDAY, FEBRUARY 18, 2025 AT THREE O'CLOCK P.M.

On motion of Mr. Moran, seconded by Mr. Randall, it was moved to **adopt** the following resolution:

RESOLUTION SBPC #2439-02-25

A RESOLUTION ORDERING AND CALLING A SPECIAL ELECTION TO BE HELD IN THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TO AUTHORIZE THE LEVY OF A SALES AND USE TAX THEREIN, MAKING APPLICATION TO THE STATE BOND COMMISSION, AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

BE IT RESOLVED by the Parish Council of the Parish of St. Bernard, State of Louisiana (the "Governing Authority"), acting as the governing authority of the Parish of St. Bernard, State of Louisiana (the "Parish"), that:

SECTION 1. Election Call. Subject to the approval of the State Bond Commission, and under the authority conferred by the Constitution of the State of Louisiana of 1974, including Article VI, Section 29 thereof, the applicable provisions of the Louisiana Election Code, and other constitutional and statutory authority, a special election is hereby called and ordered to be held in the Parish on SATURDAY, MAY 3, 2025, between the hours of seven o'clock (7:00) a.m. and eight o'clock (8:00) p.m., in accordance with the provisions of La. R.S. 18:541, and at the said election there shall be submitted to all registered voters qualified and entitled to vote at the said election under the Constitution and laws of this State and the Constitution of the United States, the following proposition, to-wit:

PROPOSITION (SALES TAX)

Shall the Parish of St. Bernard, State of Louisiana (the "Parish"), be authorized to levy and collect in accordance with Louisiana law a sales and use tax of 0.10% (the "Tax") (an estimated \$1,166,667 reasonably expected at this time to be collected from the levy of the Tax for an entire year), for a period of 4 years, beginning July 1, 2025, with the proceeds of the Tax, after paying reasonable and necessary costs and expenses of collecting and administering the Tax, to be used for the purpose of paying costs associated with litigation opposing the proposed Louisiana International Terminal project, including but not limited to expert costs and attorney's fees, as well as



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*Councilmember
at Large*

Gillis McCloskey
*Councilmember
at Large*

Patrice Cusimano
*Councilmember
District A*

Joshua "Josh" Moran
*Councilmember
District B*

Cindi Meyer
*Councilmember
District C*

Ryan Randall
*Councilmember
District D*

Amanda Mones
*Councilmember
District E*

Roxanne Adams
Clerk of Council

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participation in the United States Army Corps of Engineers permitting process for said project; provided, the Tax is subject to early termination upon passage of an ordinance determining that all current and/or anticipated litigation opposing the project is complete, whereupon collected but unspent sales tax funds shall be used for infrastructure improvements in the Parish?

SECTION 2. Publication of Notice of Election. A Notice of Special Election shall be published in the official journal of the Parish once a week for four consecutive weeks, with the first publication to be made not less than forty-five (45) days nor more than ninety (90) days prior to the date of the election, which Notice shall be substantially in the form attached hereto as "Exhibit A" and incorporated herein by reference the same as if it were set forth herein in full.

Notwithstanding the foregoing, prior to the publication of the Notice of Election, the Council Chair is authorized and directed to make any amendments to the foregoing proposition that may be required to comply with any state or federal regulatory agencies.

SECTION 3. Canvass. This Governing Authority shall meet at its regular meeting place, the St. Bernard Parish Government Council Chambers, 8201 W. Judge Perez Drive, Chalmette, Louisiana, on TUESDAY, MAY 20, 2025, at 3:00 P.M., and shall then and there in open and public session proceed to examine and canvass the returns and declare the results of the said special election.

SECTION 4. Polling Places. The polling places for the precincts in the Parish are hereby designated as the polling places at which to hold the said election, and the Commissioners-in-Charge and Commissioners, respectively, will be the same persons as those designated in accordance with law.

SECTION 5. Election Commissioners; Voting Machines. The officers designated to serve as Commissioners-in-Charge and Commissioners pursuant to Section 4 hereof, or such substitutes therefor as may be selected and designated in accordance with La. R.S. 18:1287, shall hold the said special election as herein provided, and shall make due returns of said election for the meeting of the Governing Authority to be held as provided in Section 3 hereof. All registered voters in the Parish will be entitled to vote at the special election, and voting machines shall be used.



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SECTION 6. Authorization of Officers. The Clerk of Council of the Governing Authority is hereby empowered, authorized and directed to arrange for and to furnish to said election officers in ample time for the holding of said election, the necessary equipment, forms and other paraphernalia essential to the proper holding of said election and the Council Chair and/or Clerk of Council of the Governing Authority are further authorized, empowered and directed to take any and all further action required by State and/or Federal law to arrange for the election.

SECTION 7. Furnishing Election Call to Election Officials. Certified copies of this resolution shall be forwarded to the Secretary of State, the Clerk of Court and Ex-Officio Parish Custodian of Voting Machines of St. Bernard Parish and the Registrar of Voters of St. Bernard Parish, as notification of the special election, in order that each may prepare for said election and perform their respective functions as required by law.

SECTION 8. Application to State Bond Commission. Application is made to the State Bond Commission for consent and authority to hold the special election as herein provided, and in the event said election carries for further consent and authority to levy and collect the sales and use tax provided for therein. A certified copy of this resolution shall be forwarded to the State Bond Commission by the Clerk of the Council on behalf of this Governing Authority, together with a letter requesting the prompt consideration and approval of this application.

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

YEAS: Cusimano, Moran, Meyer

NAYS: Randall, Everhardt

ABSENT: Mones

The Council Chair, Mr. McCloskey, cast his vote as **YEA**.

And the motion was declared **failed** due to not having a favorable vote of at least two-thirds (2/3) of the total membership of the Council on the 18th day of February, 2025.



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CERTIFICATE

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Regular Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Tuesday, February 18, 2025.

Witness my hand and the seal
of the Parish of St. Bernard on
this 18th day of February, 2025.


ROXANNE ADAMS
CLERK OF COUNCIL

EXHIBIT "A"

NOTICE OF SPECIAL ELECTION

Pursuant to the provisions of a resolution adopted by the Parish Council of the Parish of St. Bernard, State of Louisiana (the "Governing Authority"), acting as the governing authority of the Parish of St. Bernard, State of Louisiana (the "Parish"), on February 18, 2025, NOTICE IS HEREBY GIVEN that a special election will be held within the Parish on **SATURDAY, MAY 3, 2025**, and that at the said election there will be submitted to all registered voters in the Parish qualified and entitled to vote at the said election under the Constitution and Laws of the State of Louisiana and the Constitution of the United States, the following proposition, to-wit:

**PROPOSITION
(SALES TAX)**

Shall the Parish of St. Bernard, State of Louisiana (the "Parish"), be authorized to levy and collect in accordance with Louisiana law a sales and use tax of 0.10% (the "Tax") (an estimated \$1,166,667 reasonably expected at this time to be collected from the levy of the Tax for an entire year), for a period of 4 years, beginning July 1, 2025, with the proceeds of the Tax, after paying reasonable and necessary costs and expenses of collecting and administering the Tax, to be used for the purpose of paying costs associated with litigation opposing the proposed Louisiana International Terminal project, including but not limited to expert costs and attorney's fees, as well as participation in the United States Army Corps of Engineers permitting process for said project; provided, the Tax is subject to early termination upon passage of an ordinance determining that all current and/or anticipated litigation opposing the project is complete, whereupon collected but unspent sales tax funds shall be used for infrastructure improvements in the Parish?

Said special election will be held at each and every polling place in the Parish of St. Bernard, which polls will open at seven o'clock (7:00) a.m. and close at eight o'clock (8:00) p.m., in accordance with the provisions of La. R.S. 18:541.

The polling places at the precincts in the Parish are hereby designated as the polling places at which to hold the said election, and the Commissioners-in-Charge and Commissioners, respectively, shall be those persons designated according to law.

The estimated cost of this election as determined by the Secretary of State based upon the provisions of Chapter 8-A of Title 18 and actual costs of similar elections is \$46,900.

The said special election will be held in accordance with the applicable provisions of Chapter 5 and Chapter 6-A of Title 18 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, and the officers appointed to hold the said election, as provided in this Notice of Special Election, or such substitutes therefor as may be selected and designated in accordance with La. R.S. 18:1287, will make due returns thereof to said Governing Authority, and NOTICE IS HEREBY FURTHER GIVEN that the Governing Authority will meet at its regular meeting place, the St. Bernard Parish Government Council Chambers, 8201 W. Judge Perez Drive, Chalmette, Louisiana, on **TUESDAY, MAY 20, 2025, at 3:00 P.M.**, and shall then and there in open and public session proceed to examine and canvass the returns and declare the results of the said special election. All registered voters of the Parish are entitled to vote at said special election and voting machines will be used.

STATE OF LOUISIANA
PARISH OF ST. BERNARD

I, the undersigned Clerk of Council of the Parish Council of the Parish of St. Bernard, State of Louisiana (the "Governing Authority"), the governing authority of the Parish of St. Bernard, State of Louisiana (the "Parish"), do hereby certify that the foregoing pages constitute a true and correct copy of the proceedings taken by the Governing Authority on February 18, 2025, ordering and calling a special election to be held in the Parish of St. Bernard, State of Louisiana, to authorize the levy of a sales and use tax therein, making application to the State Bond Commission, and providing for other matters in connection therewith.

IN FAITH WHEREOF, witness my official signature at Chalmette, Louisiana, on this, the 18th day of February, 2025.

Clerk of Council